UNIVERSITY OF CALIFORNIA ACADEMIC SENATE
UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION (UCOLASC)

Wednesday, February 15, 2023
Meeting Minutes

Present: John Hildebrand (Chair), Maria DePrano (Vice Chair), Christine Rosen (Berkeley), Cecilia Giulivi (Davis), Rob Steele (Irvine), Robert Zeithammer (Los Angeles), Mark Hanna (San Diego), Soo-Jeong Lee (San Francisco), Abe Stone (Santa Cruz), Danielle Waters Westbrook (CDL), Gunter Waibel (CDL), Kristen Antelman (Chair, CoUL), Mary-Michelle Moore (President, LAUC), Catherine Mitchell (CDL), Hannah Dolan (Undergraduate Student representative), Susan Cochran (Chair, Academic Council), James Steintrager (Vice Chair, Academic Council), Anne Bessman (UCOP), Ariel Deardorff (San Francisco), John Chodaki (CDL), Jeffrey MacKie-Mason (CoUL, Berkeley), Rice Majors (CoUL, Alternate, Davis), Lorelei Tanji (CoUL, Irvine), Ginny Steel (CoUL, Los Angeles), Haipeng Li (CoUL, Merced), Steve Mandeville-Gamble (CoUL, Riverside), Erik Mitchell (CoUL, San Diego), Chris Shaffer (CoUL, San Francisco), M. Elizabeth Cowell (CoUL, Santa Cruz), Alan Grosenheider (CoUL Direction and Oversight Committee Chair, Santa Barbara), Katie Fortney, Rich Schneider (San Francisco), Wenhao Zhang, (Stefani Leto (Analyst)

I.   Consent Calendar

John Hildebrand, UCOLASC Chair

Action: UCOLASC approved the November 30, 2022 minutes and the February 15, 2023 agenda. The committee voted to hold the May 31, 2023 UCOLASC meeting remotely.

II.   Chair's Announcements

Chair Hildebrand noted faculty concerns about increased graduate labor costs, as well as future strike activity. The San Diego Chancellor has offered to provide departments additional money for teaching assistants and graduate research assistants. Libraries can be left out of initiatives such as those and may be targeted for cuts. There is lingering conflict and emotional disruption on campuses and the community will need time to heal.

III.   CDL Update

AVP Waibel reminded UCOLASC about HELIOS, an open science community of practice to elevate the development of incentives and best practices for open publishing at universities nationally. It provides a space for conversations between federal agencies and higher education, specifically to discuss policies such as NIH data sharing, as well as open access (OA) publishing and promotion. It is a place to influence federal data policies through member feedback and discussion.

AVP Waibel will participate on a National Academies Journal Summit panel "The Impact of New Public Access Requirements for U.S. Federally Funded Research," discussing implementation of federal data policies in academic publishing. The UC is well-placed for a publishing world emphasizing gold OA because of the 15 publisher agreements the UC Libraries have negotiated in partnership with faculty, now covering over 50% of UC authors.

AVP Waibel is a co-PI on a Mellon grant that funds to investigates lawful use of digitized books. The grant, led by UC Davis, is sponsored by the Council of University Librarians (CoUL), and engages two faculty experts from UCB and UCI in the critical research on legal and user requirements questions This work builds on the success of the HathiTrust emergency temporary access service (ETAS) during the pandemic, which sparked great interest in finding ways to continue enhanced access to library materials.

New announcements about the future of work from OP may impact the CDL, which at present is still recovering from the pandemic hiring freeze and has ten percent vacancies. The guidance prohibits T future out-of-state hiring and announces a review of staff currently out-of-state. Hiring staff outside of California enabled the CDL to compete for qualified staff for highly specialized library as well as IT positions.

> ➢ UCOLASC noted that remote work is critical and appropriate for CDL's digital work and offered its advocacy support.

IV. **eScholarship, PLOS, and Preprints**

A preprint is an academic manuscript with data and methods, not yet accepted to a journal. They are not reviewed, not evaluated, and most preprint services accept updates but retain previous versions. Preprints allow faster dissemination of research than through traditional publishing routes and can provide greater exposure than less well-known journals. Preprints avoid some restrictions imposed on traditional publication, such as not accepting null or negative results. Open peer review is a different model than the blind reviewer model. They can be made public for wider community good.

Preprints are not new in academic publishing; some having been in service since the late 1990s. The UC now hosts EarthArXive and EcoEvoRxiv. The CDL uses the Janeway server for this effort. eScholarship provides an archive home for UC scholars without a discipline-specific preprint server.

> ➢ Committee members wonder how CAPs will respond to these kinds of alternate publication pathways and to what degree such publications are deemed acceptable for consideration by promotion committees. In fields with high uptake of preprint servers, there is already an acceptance of them as a legitimate publication domain.
> ➢ One member shared that a faculty member on their campus deems OA agreement unnecessary, because archive servers create open publishing. He raised the question of whether there is a culture of public comment to do community peer review. Such commentary adds rigor, by engaging a community to point out weaknesses. AVP

Waibel believes that both OA publishing and preprints play a part in academic publishing, as authors have preferences for both.

➢ A committee member noted that specific journals provide expert peer review for their fields. Are preprints able to resist the kind of misuse that has happened in the old model. Industry pressure is a fundamental problem with research literacy and recognizing this kind of interference takes effort. Even though preprints are flagged as not having had peer review, there is a burden on readers to engage in critical reading.

➢ One member was concerned that this puts authors in risk of losing control of their findings and research. In response, it was noted that preprints are not primarily for tenure review, rather they provide a way to stake a claim early in research to protect time sensitive results, and federal funding already requires preprint publishing.

➢ Committee members disagreed about whether preprint servers are an unnecessary drain on resources or an essential part of scholarly communication. Costs are relatively low, as management is community-based. The University primarily provides server space.

V. Research data policies and infrastructure

NIH Data Sharing policy:

The NIH policy offers minimum requirements for data management and sharing, seeking to maximize appropriate sharing as early as possible. This kind of requirement is likely to be replicated by all federal funding agencies in the coming years. Campus libraries and CDL have tools and guidance to assist researchers with complying with these new requirements.

John Chodacki indicated that CDL's digital curation program, University of California Curation Center (UC3), works to support research across the UC. The best practice discussed is to use repositories most aligned with research domain. If this is not available, 'generalist repositories' can support those datasets. One option for a generalist repository, Dryad (datadryad.org), provides best practice data publishing at no cost to UC researchers.

In addition, John Chodacki discussed Merritt, which is a back-end preservation system used by CDL to ensure best practice custodianship of digital information. It is a platform for preservation of digital library collections used by UC libraries and its partners.

Data Publication and Sharing:

The Research Data Backup Service Program plans an RFP to explore options for systemwide commercially available software for research data backup. The project would cover from individual laptops to large data sets from research labs. The group is investigating data backup needs on campuses. This would be a centrally procured product, with local IT offices in charge of roll out and support. The group acknowledges that the University would need wide adoption for a successful effort. Campuses with existing data backup products find that not all campus members are backing up their data. Initial funding would come from the risk office at the Office of the President, with ongoing funding from campus assessments,

recognizing the imperative of data backup. Chair Hildebrand will join the steering committee investigating this service.

  ➢ Discussion noted that some libraries have functional data backup operations; and asked how the systemwide steering group has coordinated with libraries to take local efforts into account. Libraries and campuses differ in the maturity of their responses, and UC San Diego is ahead of most.
  ➢ A member wondered if this is a direct response to the prior ransomware incident at UC San Francisco and was answered that this effort follows the recommendations of the task force examining that data breach.
  ➢ Members are concerned about costs of such a service. Costs would increase based on complexity and size of data sets. In general, the cost is less than expected and less than the cost of a ransomware attack. OP does not yet have a target number for the effort, nor dedicated funds. Individual researchers will never bear the cost, in a bid to increase buy in.
  ➢ A UCOLASC member noted that when campus budgets are squeezed, libraries are often preferential targets for budget cuts. Costs shifted to campuses through an assessment can lead to library budget cuts, especially now given increased graduate student costs.
  ➢ The committee agreed that research data management is not equivalent to data backup. Libraries can provide information about the data life cycle and ecosystem. Libraries curate data and facilitate use, while the University would provide data backup. The current group working to source a data backup system is not connected with curation at all; that is a library function.
  ➢ UCOLASC expressed great concern about the University's experience with large software purchases, since Oracle software has caused large problems to campuses.
  ➢ A committee member wondered how reliant UC faculty are upon UC-hosted repositories versus using community repositories. For those for which a specific repository exists to serve their discipline, CDL urges them to use those. Without that, CDL suggests Dryad as the appropriate choice.

VI.   Consultation with Senate Leadership

Council Chair Cochran reported that a negative review of UC Online by Deloitte means UC Online will likely focus on things campuses cannot easily do such as developing online lower level or high school courses that could facilitate transfer.

Council discussed a letter asking for the faculty salary increase to be applied to both on- and off-scale salaries. Assembly meeting passed a revision to Senate Regulations 610 and 630, requiring undergraduates to complete at least a year of on-campus classwork. The Senate can approve proposals for online majors without approving fully online degrees. Strike recovery is the foremost faculty and campus concern. NIH work accounting forms must be completed accurately. The Senate has been working to provide guidance to faculty. Strike consequences on graduate student offers and acceptances are currently unknown.

> ➢ Chair Hildebrand raised concerns that the systemwide RFP for a data backup system may lead to the same kind of experience campuses have with the Oracle software financial management systems. Chair Cochran encouraged UCOLASC to invite systemwide representatives to discuss plans. AVP Waibel encouraged a nuanced view of backup, archiving, and curation, with a clear distinction between library and IT functions. Libraries want longevity and quality and access; IT wants security.

VII. Project LEND

Rice Majors presented about Project LEND, Library Expansion of Networked Delivery. Project LEND is working to expand lawful use of digital materials within and beyond the UC, corresponding to the way HathiTrust expanded access through emergency access arrangements.

> ➢ UCOLASC urged a speedy implementation of a trial version rather than waiting for full project completion. Majors confirmed that individual campus libraries may choose to implement some features sooner than project completion (and UC Berkeley and UC San Diego have prototypes already to deploy some services).
> ➢ A member asked about carbon and long-term costs. It will take at least a year to determine, based on services and infrastructure.

VIII. Project Transform

A. Project Transform has been working since 2018 to convert the scholarly publishing industry to an OA model. Fifteen publishers, including the five largest publishers of UC materials, now have OA agreements with the UC. Almost 50 percent of UC articles are eligible for OA. About 35 percent of authors are still opting out, perhaps driven by confusion about effects of OA and costs. With adequate education, the percent of authors publishing OA should increase. Costs to both the system and authors are decreasing; negotiations are ongoing with several publishers, both continuing and ongoing.

B. An important issue related to author rights has come to the attention of the Project Transform negotiating team. Publishers have been asking our authors to sign "License to Publish" (LTP) agreements that are undermining the intention of the faculty as expressed by the Senate's Systemwide Open Access Policy of 2013, and the UCOLASC Declaration of Rights and Principles which was unanimously endorsed by eight Senate Committees and Academic Council in 2019.

Under copyright law, creators of original work retain all rights in that work, generally with automatic protections extended so the work cannot be copied, distributed, or re-used without creator permission. Similarly, UC copyright policy holds that UC authors (under most circumstances) own the rights to their work. Historically, journals have required that authors transfer copyrights and all rights therein to publishers as a condition for publication. This enabled publishers to control and profit from multiple revenue streams and authors themselves and others had to ask for permission (and often pay a fee) to re-use the work.

In 2013, The UC Academic Senate passed an Open Access Policy, which was developed by UCOLASC, codifying two stated goals of the faculty: first, that UC faculty could make their work

freely and immediately available to the world by placing the work in an open access repository (eScholarship). Second, that as authors, faculty could retain control of their work by assigning a non-exclusive license to the Regents prior to submitting their work for publication. Similarly, in the UCOLASC Declaration of Rights and Principles, the first, fifth, and seventh Principles pertain to authors no longer having to transfer copyrights and control to publishers as a condition for publication. To this end, UCOLASC and the Senate encouraged our authors to utilize the Creative Commons (CC) licensing scheme that dictates what publishers and other users can do with the work, but that enables authors to retain control over the work.

However, publishers have employed a surreptitious strategy to regain rights they lost via open access publishing and creative commons licensing. While publishers are allowing authors to retain copyright, this is in name only. All rights therein are being transferred to publishers through LPT agreements that publishers require authors to sign as a condition for publication. Some publishers are also inserting language in their LTP agreements that sets conditions for manuscripts in eScholarship and preprint servers.

The negotiating team asked Wiley to change the language in their LTP so that authors could retain the rights. As a first step, Wiley made some changes to their LTP agreements worldwide that will revert a few rights back to authors like the right to translate and the right to use works in course-packs for teaching purposes. Project Transform intends to continue pushing all publishers to alter their LTP agreements such that the original intentions and clearly stated goals of the faculty are fully achieved.
UCOLASC members agreed that UCOLASC and the negotiating team were in the best position to advocate on behalf of all of the faculty. UCOLASC expressed strong support for the negotiating team working to change these LTP agreements. UCOLASC will work on a statement expressing support for the negotiating team on this critical issue.

IX.   Campus Updates

Berkeley – the library committee faces no reserves, and less funding. A special faculty senate meeting created a resolution for library funding, passed unanimously but has not produced action. Without funding, and graduate student costs increasing, cuts fall disproportionally on the libraries. Branch/disciplinary libraries to close; some schools want the space.

Davis – the campus is still struggling to educate colleagues on OA. The university librarian and provost for digital scholarship is retiring. The committee reviewed two program proposals: a Master of Management, and a Master of Engineering in Medical Device Development and was concerned that both created unfunded additional library responsibilities.

Irvine – the campus is in the 2nd year of a four-year $800,000 Mellon grant to support Community-Centered Archives Practice: Transforming Education, Archives and Community History (C-CAP-TEACH), a project contributing to social justice-focused scholarship, that trains students and builds partnerships between academic libraries and their communities.

Los Angeles – the library is still spreading OA information. They have faced severe resistance from monograph publishers, so will focus on journal articles. The committee created a one-page information sheet to help faculty Library staff will attend department meetings. Any library presence in the new satellite campus has not yet been determined.

Merced – "OA ambassadors" had a half day retreat with the CDL representative, including LASC members and all librarians who liaise with specific departments. Participants created presentations for department meetings. A white paper written with two associate librarians will highlight budget lacks. The Provost asked for an argument for libraries as essential research infrastructure, and the campus committee would appreciate any examples

Riverside - Hiring is improving and staffing at all levels is increasing. The library is making a strategic plan to circulate among the deans this month. Faculty will be expected to receive the plan information from their deans, rather than directly from the library or via the Senate committee. This may indicate that the information gap between faculty and administration is widening rather than narrowing. Two points of resistance exist to communicating Senate information to faculty: 1) There is an effort to keep email "in-boxes" lean, so the idea of sending reports to chairs to share at faculty meetings has been greeted with dismay, and 2) the Senate was conceived as a body of faculty representatives who were meant to engage with administration only, to present administrators with faculty priorities. Conveying committee information to faculty would require new systems taking time and effort.

San Diego - the committee has focused on the same issues as other campuses. A strategic long term planning committee for library issues is meeting. The library has been significantly renovated to be more study and movement friendly, and tech oriented, to engage classes within the library. The campus library is heavily involved in data curation.

Santa Cruz – the library continues to educate about OA following last year's workshop and surveyed faculty about OA. The library is publicizing a new faculty research grant program that can be used to pay publication fees. The committee continues to advocate to have library representation at new faculty orientations. There are new librarians for online learning and undergraduate engagement.

San Francisco – the library has had success educating faculty in the past few years. This year the library has multiple initiatives on equity in publishing and open science initiatives. The Chancellor funded a proposal for a feasibility study to create a writing center focusing on faculty writing support. The library is hiring staff to conduct a needs assessment and business model to submit historical health data and contextualize community or personal responses to issues. A humanities symposium will support the project. The library received more funding for an oral history of science education at UCSF Health project. It will record and preserve faculty voices and preserve and shape their legacy.

Student report – library information needs to be included for new/transfer students. Student groups will consider ways to promote the library.

X.   **New Business**

There was no new business.

The committee adjourned at 3:11 pm
Minutes prepared by Stefani Leto, Committee Analyst
Attest: John Hildebrand, Committee Chair